

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND**

SECURITIES AND EXCHANGE COMMISSION,)

Plaintiff,

V.

Case No. 1:16-cv-00107-M-PAS

RHODE ISLAND COMMERCE
CORPORATION, et al.,

Defendants.

**WELLS FARGO SECURITIES, LLC AND
PETER M. CANNAVA'S JOINT MOTION FOR DISCOVERY SANCTIONS
AND, IN THE ALTERNATIVE, A LIMITED REOPENING OF FACT DISCOVERY**

For the reasons set forth in the accompanying Memorandum of Law, Wells Fargo Securities, LLC and Peter M. Cannava (collectively, the “Defendants”) hereby move for discovery sanctions to preclude the Securities and Exchange Commission (“SEC”) from using certain declarations as evidence on a motion, at a hearing, or otherwise. In the alternative, the Defendants request a limited reopening of fact discovery to enable the Defendants to take short depositions of the declarants.

WHEREFORE, the Defendants respectfully request that the Court (1) grant this motion, and either (a) preclude the SEC from using the declarations as evidence on a motion, hearing, or otherwise; or (b) allow a limited reopening of fact discovery to enable the Defendants to take short depositions of the declarants; (2) award reasonable expenses, including attorney's fees, incurred in connection with the SEC's discovery violations; and (3) order such other relief as the Court deems just and necessary.

REQUEST FOR HEARING

Pursuant to Local Rule 7(c), the Defendants respectfully request oral argument on this Motion. The Defendants estimate a hearing should take no more than one hour.

Respectfully submitted,
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Counsel for Defendant Peter M. Cannava

Dated: May 24, 2018

CERTIFICATE OF SERVICE

I hereby certify that on May 24, 2018, the foregoing document was filed electronically and is available for viewing or downloading from the ECF system. This document was electronically served on the registered participants as identified on the notice of electronic filing (NEF).

/s/ Luke T. Cadigan